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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,086	06/27/2003	Zhicheng Li	44662B (1062-014C1)	7520

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DOBRUSIN & THENNISCH PC
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SUITE 210
PONTIAC, MI 48326

EXAMINER

CHEN, BRET P

ART UNIT	PAPER NUMBER
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1762

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/609,086	LI ET AL.	
	Examiner	Art Unit	
	B. Chen	1762	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-15,17-25,27-30 and 32-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-15,17-25,27-30 and 32-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8-23-06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-4, 6-15, 17-25, 27-30, 32-36 are pending in this application. No amendments to the claims are noted.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 9, 10, 21, 22, 24, 25, 27-29, 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Locke et al. (US 6,291,019) in view of Wade et al. (US 5,580,945) for the reasons listed in the previous office action.

Claims 2, 11-15, 32, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Locke et al. (US 6,291,019), as applied to claim 1 above, and further in view of Burton (US 5,925,466) for the reasons listed in the previous office action.

Claims 3, 4, 17, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Locke et al. (US 6,291,019) in view of Burton (US 5,925,466), as applied to claim 2 above, and further in view of Wade et al. (US 5,580,945) for the reasons listed in the previous office action.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Locke et al. (US 6,291,019) in view of Wade et al. (US 5,580,945), as applied to claim 1 above, and further in view of Meader, Jr. et al. (US 4,025,683) for the reasons listed in the previous office action.

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Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Locke et al. (US 6,291,019) in view of Wade et al. (US 5,580,945), as applied to claim 1 above, and further in view of Uhrhan et al. (US 4,145,512) for the reasons listed in the previous office action.

Claims 8, 23, and, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Locke et al. (US 6,291,019) in view of Wade et al. (US 5,580,945), as applied to claim 4 above, and further in view of Thomaides et al. (US 5,626,840) for the reasons listed in the previous office action.

Claims 16, 18, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Locke et al. (US 6,291,019) in view of Burton (US 5,925,466) and Wade et al. (US 5,580,945), as applied to claims 3 and 14 above, and further in view of Thomaides et al. (US 5,626,840) for the reasons listed in the previous office action.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Locke et al. (US 6,291,019) in view of Burton (US 5,925,466) and Wade et al. (US 5,580,945) and Thomaides et al. (US 5,626,840), as applied to claim 18 above, and further in view of Meader, Jr. et al. (US 4,025,683) for the reasons listed in the previous office action.

Response to Arguments

Applicant's arguments filed 8/23/06 have been fully considered but they are not persuasive.

Applicant first argues that claims 1-2 are allowable for the reasons previously stated and cites case law to support the position (pp.9-11).

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The examiner disagrees. The arguments have been previously been addressed and the case law cited does nothing to further the arguments.

Applicant next argues that claims 3-4 and 13 are allowable because the amount of amines in the claimed invention is different from the prior art (p.12 first full paragraph) and that this leads to the ability of spraying the coating which is not suggested by the prior art (p.12 second full paragraph).

The examiner disagrees. Columns 4 and 10 of Locke indicate that the ranges are within the applicant's range. Regardless, overlapping ranges are prima facie obvious. With respect to the issue of spraying, Locke clearly indicates that the composition can be sprayed and that a spray system is a preferred embodiment (col.3 lines 10-29).

Applicant next argues that the prior art references fail to teach any reason for using aspartic acid ester (p.13).

The examiner disagrees. Wade clearly teaches of using aspartic acid ester. Applicant has not taken issue with this. Motivation to use same in Locke's process has been discussed on p.5 first full paragraph of the previous office action. Applicant has not rebutted the motivation provided.

Applicant next argues that Burton is improperly combined because it is quite unlikely that the skilled artisan would be inclined to robotically spray a fast curing composition (p.14).

The examiner disagrees. Applicant's statement is mere speculation without any factual evidence provided and as a result, unsupported arguments are entitled to little weight

Applicant's arguments have been considered but are not deemed persuasive.

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A telephone conversation with Mr. Chapple on 10/26/06 indicated that the applicant's invention is directed to a slow-curing thick film as a result of the combination of primary and secondary amines. The instant claims as presently written do not reflect these characteristics.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to B. Chen whose telephone number is (571) 272-1417. The examiner can normally be reached on 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Bc
10/26/06

A handwritten signature in black ink, appearing to read 'B. Chen', with a stylized, flowing script.

BRET CHEN
PRIMARY EXAMINER